

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 19 February 2003 Division: Growth Management

Bulk Item: Yes No X Department Marine Resources

AGENDA ITEM WORDING:

Approval of an ordinance revising Chapter 5.5, Boats, Docks, and Waterways, Article V. Section 5.5-108 (b) (1), Snake Creek.

ITEM BACKGROUND:

At the request of the Village Manager, Charles Baldwin, based on the recommendations the Village Nearshore Waters Committee and the approval of the Village Council, this ordinance revision would change the slow speed/minimum wake zone currently in place on Snake Creek to encompass the entire width of the creek. Currently the zone only extends 100 feet from the shore of Venetian Shores Subdivision along the length of the Creek.

PREVIOUS RELEVANT BOCC ACTION:

Ordinance 50-1995 – Creation of Snake Creek Slow Speed Minimum Wake Zone
Ordinance 61-1996 – Revision of Snake Creek Ordinance

CONTRACT/AGREEMENT CHANGES:

NA

STAFF RECOMMENDATIONS;

Approval

TOTAL COST: None BUDGETED: Yes N/A No

COST TO COUNTY: None SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes No X AMOUNT Per Month Year

APPROVED BY: County Atty X OMB/Purchasing NA Risk Management X

DIVISION DIRECTOR APPROVAL: 
Timothy McGarry, Director of Growth Management

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION: AGENDA ITEM NO.: T5

ORDINANCE NO. 2003

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COMMISSIONERS MAKING A REVISION TO THE SNAKE CREEK REGULATORY ZONE IN CHAPTER 5.5 MONROE COUNTY CODE (BOATS, DOCKS, AND WATERWAYS), PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF INCONSISTENT ORDINANCE CLAUSES, PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in order to protect the public health and safety, the Board of County Commissioners created a boating restricted area at Snake Creek; and

WHEREAS, the City of Islamorada, Village of Islands has requested that Monroe County revise the current boating restricted area at Snake Creek to further protect the public health and safety; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, MONROE COUNTY, FLORIDA THAT the following revision is made to Chapter 5.5, Monroe County Code:

Section 1. Revise Sec. 5.5-108 (b) (1) to read:

Snake Creek: To include the entire width of Snake Creek, from 100 feet south of the Snake Creek Bridge at U.S. Highway 1, to 100 feet north of the residential shoreline of the Venetian Shores subdivision, Plantation Key.

Section 2. Severability

If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 3. Repeal of inconsistent ordinance clauses.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of said conflict.

Section 4. Inclusion in the Monroe County Code.

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition to amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. Effective date.

This Ordinance shall be filed with the Office of the Secretary of State of the State of Florida, and will take effect upon receipt by that agency.

PASSED AND ADOPTED by the Board of County Commissioners, Monroe County, Florida at a regular meeting of said Board held on the 19th day of February, A.D., 2003.

Mayor Dixie Spehar
Mayor Pro Tem Murray Nelson
Commissioner George Neugent
Commissioner Charles McCoy
Commissioner David Rice

BOARD OF COUNTY COMMISSIONERS
MONROE COUNTY, FLORIDA

BY: _____
MAYOR/CHAIR PERSON

(SEAL)

ATTEST: DANNY I. KOLHAGE, CLERK

BY: _____
DEPUTY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: 
ATTORNEY'S OFFICE